

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION**

Timothy Tangen,

Plaintiff,

v.

Fluor Intercontinental, Inc.; Fluor Government Group International, Inc.; and Alliance Project Services, Inc.,

Defendants.

C/A No.: 6:21-cv-00335-BHH

**DEFENDANTS FLUOR
INTERCONTINENTAL, INC. AND
FLUOR GOVERNMENT GROUP
INTERNATIONAL, INC.'S
MOTION TO DISMISS**

Defendants Fluor Intercontinental, Inc. and Fluor Government Group International, Inc. (collectively, “Fluor”), by and through their undersigned counsel and pursuant to Federal Rule of Civil Procedure 12(b)(6), hereby move this Court for an order granting their motion to dismiss the Complaint (“Motion”) against Plaintiff Timothy Tangen (“Plaintiff”). This Motion is made on the grounds that Plaintiff’s Complaint fails to state a claim upon which relief can be granted and should be dismissed because: (i) Plaintiff’s claims are preempted based on the Federal Tort Claims Act’s “combatant activities” exception; (ii) the Army has refused to release essential classified information; and (iii) Plaintiff lacks standing to assert a breach-of-contract claim under Fluor’s federal government contract. This Motion is supported by the applicable law, the pleadings in this action, and the memorandum filed in support and served herewith.

[SIGNATURE PAGE FOLLOWS]

Respectfully submitted,

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February 26, 2021
Greenville, South Carolina